

HOUSE BILL 797

By Tindell

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, to expand the definition of historic performing arts center for certain purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(19), is amended by adding the following language as a new, appropriately designated subdivision:

( ) "Historic performing arts center" also means a facility possessing each of the following characteristics:

- (i) Is located in a renovated historic building at least ninety (90) years old;
- (ii) Is located within the "Happy Holler" historic area on Central Street and as of January 1, 2011 resides within the downtown north redevelopment zone as defined by the North I-275 Corridor Redevelopment and Urban Renewal Plan;
- (iii) Has a seating capacity of not less than two hundred (200) persons and not more than five hundred (500) persons;
- (iv) The center is operated by a for-profit organization, or a not-for-profit organization that is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954, codified in 26 U.S.C. § 501(c), as amended, and where no member, officer, agent, or employee of the not-for-profit organization receives any incentive compensation relating directly to the sale of alcoholic beverages beyond the amount of such salary and other compensation as may be fixed by the not-for-profit organization's governing body for the reasonable performance of such member's, officer's, agent's or employee's assigned duties. A portion of the profits from the sale of alcoholic beverages at the center shall be used for the

operation, renovation, refurbishing, or general maintenance of the center.

Alcoholic beverages may be consumed inside the center or on the patio and grounds within the fenced area at the rear of the facility;

(v) The center provides or leases facilities for programs and activities of cultural, civic, educational interest, or private functions, including, but not limited to: stage plays, musical concerts, films, dance performances, receptions, exhibitions, seminars, tournaments, meetings, or private parties; and

(vi) Is located in any county having a population of not less than three hundred eighty-two thousand (382,000) nor more than three hundred eighty-three thousand (383,000), according to the 2000 federal census or any subsequent federal census;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.